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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RUBEN JUAREZ and CONSTANTIN CALIN
SEGARCEANU, individually and on behalf of
all others similarly situated,

Plaintiffs,

vs.

SOCIAL FINANCE, INC. d/b/a SOFI, and
SOFI LENDING CORP. d/b/a SOFI,

Defendants.

CASE NO: 4:20-cv-03386-HSG

**JOINT STIPULATION AND
ORDER TO STAY DISCOVERY AND
CONTINUE CASE MANAGEMENT
CONFERENCE**

Complaint Filed: May 19, 2020
First Amended Complaint Filed: July 30, 2020

District Judge Haywood S. Gilliam, Jr.

Pursuant to Civil Local Rules 6-1(b) and 6-2, Plaintiffs Ruben Juarez and Calin Constantin Segarceanu (“Plaintiffs”), through counsel, along with counsel for Defendants Social Finance, Inc. d/b/a SoFi and SoFi Lending Corp. d/b/a SoFi (collectively, “SoFi,” and together with Plaintiffs, the “Parties”), respectfully submit the following Joint Stipulation and Proposed Order to Stay Discovery and Continue the Case Management Conference.

RECITALS

WHEREAS, on May 19, 2020, Plaintiff Juarez filed a putative class action Complaint against SoFi in the above-captioned matter (D.E. 1);

WHEREAS, on June 5, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Extend Time to Respond to Initial Complaint, extending the time for SoFi to respond to the Complaint for a period of twenty-one days (D.E. 14);

WHEREAS, on July 7, 2020, Plaintiff Juarez and SoFi filed a Joint Stipulation to Set a Briefing Schedule in Response to Plaintiff’s Complaint, pursuant to which the parties requested a seven-day extension to the standard briefing schedule for any dispositive motion filed by SoFi (D.E. 24), which the Court granted on July 7, 2020 (D.E. 26);

WHEREAS, on July 9, 2020, SoFi filed a Motion to Compel Arbitration, or in the Alternative Dismiss, or in the Alternative Strike Portions of Plaintiff’s Complaint (D.E. 28), and a Motion to Stay Discovery, or in the Alternative, Bifurcate Discovery (“Motion to Stay”) (D.E. 29);

WHEREAS, on July 10, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule in Response to Defendants’ Motion to Stay to align the briefing schedule and hearing date for Defendants’ Motion to Stay with Defendants’ Motion to Compel Arbitration, or in the Alternative Dismiss, or in the Alternative Strike (D.E. 30), which the Court granted on July 14, 2020 (D.E. 31);

WHEREAS, on July 30, 2020, Plaintiff Juarez and Sofi filed a Joint Stipulation to Set a Briefing Schedule Regarding Plaintiffs’ First Amended Complaint and to Continue the CMC, requesting that the briefing schedule for any dispositive motion in response to Plaintiff’s proposed

1 amended complaint be extended by 7 days, and that the case management conference and
2 accompanying deadlines be extended to September 22, 2020 (D.E. 32), which the Court granted
3 on July 31, 2020 (D.E. 34);

4 WHEREAS, on July 30, 2020, Plaintiffs filed the First Amended Complaint (D.E. 33);

5 WHEREAS, on August 31, 2020, SoFi filed a Motion to Compel Arbitration, or in the
6 Alternative Dismiss, or in the Alternative Strike Portions of Plaintiffs' First Amended Complaint
7 ("Dispositive Motion") (D.E. 38), which Plaintiffs opposed on September 21, 2020 (D.E. 41), and
8 to which SoFi replied on October 5, 2020 (D.E. 43);

9 WHEREAS, on September 14, 2020, the Court, *sua sponte*, continued the case
10 management conference previously set for September 22, 2020 to November 5, 2020, to be
11 conducted along with the hearing on SoFi's Dispositive Motion (D.E. 40);

12 WHEREAS, having met and conferred, the Parties are interested in pursuing settlement
13 discussions if applicable following the Court's issuance of a decision on the Dispositive Motion;

14 WHEREAS, the Parties believe that in the interest of efficiency and judicial economy,
15 discovery should be stayed pending the Court's decision on the Dispositive Motion, without the
16 need for briefing on a motion to stay or bifurcate discovery, and the case management conference
17 continued to a date following the Court's resolution of SoFi's Dispositive Motion;

18 WHEREAS, the Parties state that this request is not the result of dilatory conduct;

19 WHEREAS, apart from seeking a continuance of the case management conference
20 scheduled for November 5, 2020, and accompanying pre-conference deadlines, this stipulation
21 will not alter the date or any event or deadline already fixed by Court order;

22 WHEREAS, the Parties affirm that no party will be prejudiced by this stipulation, nor will
23 the requested extension unduly delay the case;

24 **STIPULATION**

25 THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and between Plaintiffs
26 and SoFi through their respective undersigned counsel that:

- 27 1. All discovery in this case shall be stayed pending the issuance of the Court's decision
28 on SoFi's Dispositive Motion.

2. Within 30 days of the Court's issuance of a decision on SoFi's Dispositive Motion, the Parties will meet and confer, and will provide an update to the Court regarding the status of any settlement negotiations.
3. The case management conference previously scheduled for November 5, 2020, and associated pre-conference deadlines, shall be continued to a date following the Parties' update to the Court regarding the status of any settlement negotiations following the Court's decision on the Dispositive Motion.
4. SoFi agrees that it will not file a motion to stay or bifurcate discovery prior to a ruling on SoFi's Dispositive Motion.
5. The requested stay and continuation of the case management conference will not affect any other deadlines set by the Court in this case.
6. This stipulation is without prejudice to the rights, claims, arguments, and defenses of all Parties; and
7. All other signatories listed, and on whose behalf the filing is submitted, concur with the content in this Stipulation and have authorized the filing.

IT IS SO STIPULATED.

1 DATED: October 8, 2020

McGUIREWOODS LLP

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20 *Social Finance, Inc. d/b/a SoFi and*
21 *SoFi Lending Corp. d/b/a SoFi*

22 DATED: October 8, 2020

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23 *Pro hac vice application pending

24 *Attorneys for Plaintiffs and the Proposed Class*

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED,

DATED: 10/8/2020

A handwritten signature in black ink, reading "Haywood S. Gilliam, Jr.", written over a horizontal line.

Haywood S. Gilliam, Jr
United States District Judge